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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,114	04/09/2004	Nobuhisa Noda	08917-097001	1698
26161	7590	09/08/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			NAKARANI, DHIRAJLAL S	
			ART UNIT	PAPER NUMBER
			1773	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,114

Applicant(s)

NODA ET AL.

Examiner

D. S. Nakarani

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-10 is/are rejected.
7) ☒ Claim(s) 11 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimachi (U. S. Patent Application Publication US 2003/0198805 A9), with, as an evidence, Soane (U. S. Patent 5,278,243), in view of Kuwabara (U. S. Patent 6,775,059 B2) and Oya (U. S. Patent Application Publication US 2003/0186040 A1).

Sugimachi discloses an optical filter for plasma display comprising a transparent substrate and functional film such as a near infrared-blocking film and an antireflective film are laminated on an electromagnetic-wave blocking layer with adhesives or self-adhesive (i.e. pressure sensitive adhesive) materials. The adhesives or the self-adhesive material contains dye having absorption peak in the wavelength rang from 570 to 600 nm which falls within the claimed range (Paragraphs from 0024 to 0026 and Example 1). Sugimachi discloses acrylic adhesive material containing dye in an amount of 0.5 wt% (Paragraph 0030). Sugimachi's acrylic adhesive or self-self adhesive is not a polymethyl methacrylate because a polymethyl methacrylate is a rigid, transparent material useful as glass substitute, for example, in windows, as evidenced by Soane (see column 1, lines 5-45 of U. S. Patent 5,278,243). Sugimachi fail to disclose composition of the near infrared-blocking film and claimed acrylic resin.

Kuwabara discloses near infrared absorption material comprising a transparent layer containing a near infrared absorption dye having absorption in a near infrared

region of 800 to 1000 nm (Col. 1, lines 21-22 and Example 1). Kuwabara discloses adhesive layer containing a dye absorbing a light of 550 to 620 nm wavelengths (Col. 2, lines 8 – 13). Kuwabara also suggest addition of a dye selectively absorbing a light of 550 to 620 nm wave length region in an amount of 0.001 to 50 wt%, preferably 0.0002 to 20 wt% along with near infrared absorbing dye into either or both of the adhesive layer and the transparent layer (Col. 6, lines 25-57). Kuwabara also discloses use of near infrared absorption dye in amount of 0.001 to 50 wt% (Column 3, lines 60-65).

Oya discloses near infrared ray shielding film for plasma display. Oya discloses a pressure sensitive acrylic adhesive (i.e. second adhesive layer) comprising infrared light absorbing dye. Oya's acrylic adhesive is a copolymer of butyl acrylate and acrylic acid (Example 15 and paragraphs 0285 and 0286, Adhesive coating solution c). Oya also discloses a second acrylic adhesive containing of monomers such as butyl acrylate, cyclohexyl methacrylate, n-hexyl methacrylate, 2-ethylhexyl methacrylate, n-octyl methacrylate, lauryl methacrylate, butyl acrylate, n-hexyl acrylate, n-octyl acrylate, lauryl acrylate etc. (Paragraphs 0164 to 0169). Oya also disclose that the pressure sensitive adhesive (i.e. second adhesive layer) does not peel off or form air bubbles in a forced aging test at a high temperature and a high humidity (Paragraph 0166).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of this invention made to utilize disclosure of Kuwabara and Oya in the invention of Sugimachi to use Oya's pressure sensitive adhesive (i. e. self-adhesive) containing both, dye selectively absorbing a light of 550 to 620 nm wave length region and a near infrared absorption dye, as taught by Kuwabara.

3. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 11 deemed allowable because art of record does not teach or suggest acrylic resin obtained by polymerizing a monomer mixture containing a monomer represented by formula $\text{CH}_2=\text{CR}-\text{COOX}$, wherein R denotes hydrogen atom or methyl group and X denotes a hydrocarbon group of 4-25 carbon atoms and a fluorine atom containing unsaturated monomer or acrylic resin obtained by polymerizing a fluorine atom containing unsaturated monomer. The Examiner interprets the fluorine atom containing unsaturated monomer as a fluorine atom containing acrylate or a fluorine atom containing methacrylate (See page 9, lines 6-28 of present disclosure).


4. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


D. S. Nakarani
Primary Examiner
Art Unit 1773

DSN
September 3, 2006.